

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

EDWARD THOMAS KENNEDY,

Plaintiff,

v.

PHILIP CARL PETRUS, et. al.,

Defendants.

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3:18-CV-697

(JUDGE MARIANI)

(Chief Magistrate Judge Schwab)

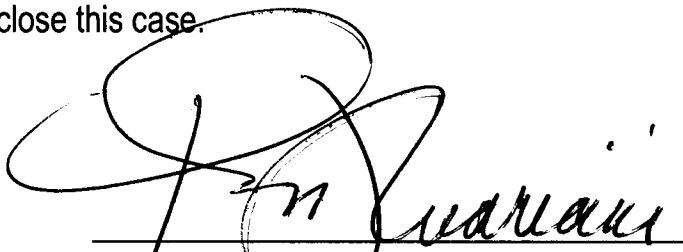
ORDER

AND NOW, THIS 25th DAY OF APRIL 2019, upon review of Chief Magistrate Judge Schwab's Report and Recommendation ("R&R") (Doc. 26) for clear error or manifest injustice, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 19) is **ADOPTED** for the reasons set forth therein.
2. Although *de novo* review is required for those portions of a report or specified proposed findings or recommendations to which objection is made, see *Cippolone v. Liggett Group, Inc.*, 822 F.2d 335, 340 (3d Cir. 1987), *cert. denied*, 484 U.S. 976 (1987), the *de novo* standard does not apply here because it applies only to objections which are specific, *Goney v. Clark*, 749 F.2d 5, 6-7 (3d Cir. 1984), and Plaintiff's Document titled "NOTICE and OBJECTION" (Doc. 29) does not contain a specific objection to a proposed finding or recommendation.
3. Pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) and the Court's conclusion that further leave to amend would be futile, *Grayson v. Mayview State Hosp.*, 293 F.3d 103, 108 (3d

Cir. 2002), Plaintiff's third amended complaint (Doc. 20) is **DISMISSED WITH PREJUDICE.**

4. The Clerk of Court is directed to close this case.



Robert D. Mariani
United States District Judge